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UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA

MONROE DIVISION

DONALD K. SMITH
LA. DOC #337578
VS.

CIVIL ACTION NO. 09-1027

SECTION P

JUDGE ROBERT G. JAMES

WARDEN JIMMY SHIVERS, ET AL.

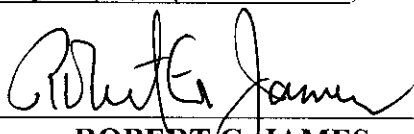
MAG. JUDGE KAREN L. HAYES

JUDGMENT

For the reasons stated in the Report and Recommendation of the Magistrate Judge previously filed herein, determining that the findings are correct under the applicable law, and noting the absence of objections to the Report and Recommendation in the record,

IT IS ORDERED that Plaintiff's civil rights complaint be **DISMISSED WITH PREJUDICE** as frivolous and for failing to state a claim for which relief may be granted in accordance with the provisions of 28 U.S.C. § 1915(e)(2)(B);

MONROE, LOUISIANA, this 15 day of October, 2009.



ROBERT G. JAMES
UNITED STATES DISTRICT JUDGE